

Message

From: Jennifer Paskash [paskash.jennifer@azdeq.gov]
Sent: 2/25/2020 5:41:53 PM
To: BECKHAM, LISA [BECKHAM.LISA@EPA.GOV]
Subject: Potential HMI Waste Facility
Attachments: Monarch_EPADraftPermit.pdf; Monarch_StatementOfBasis.pdf; Aemerge_SubpartEcDetermination.pdf

Hello Lisa,

I was hoping to get your guidance/insight regarding a hospital/medical/infectious (HMI) waste processing facility that is considering investing in a location within La Paz County. Monarch Waste Technologies is currently in the process of obtaining a Title V operating permit from EPA Region VI for a HMIWI unit located on tribal land in Nambe, New Mexico. During the permitting process, Monarch Waste Technologies requested an applicability determination from EPA Region VI on December 9, 2018 to see if their process was subject to Subpart Ec rules for HMIW incinerators. EPA provided their determination on June 5, 2019, which concluded that the unit did not meet the definition of an incinerator and is therefore not subject to Subpart Ec if operated in accordance with the information that was submitted for the determination. Despite the determination given on June 5, EPA Region VI proceeded with the Title V permitting action, which is currently awaiting issuance. Both the determination letter and draft permit from Region VI have been attached for your review.

During my pyrolysis/incineration research, I discovered a facility with a similar process in Hesperia, California. Initially, a determination from the EPA in 2017 concluded that the facility was subject to Subpart Ec rules since the combustion of the syngas is an exothermic process, thus cannot be considered for the exemption for a pyrolysis unit. However, the facility requested a reconsideration of applicability from EPA stating that the original rules for HMIWI did not intend to regulate the combustion of the syngas as part of the pyrolysis system, as seen in the preamble and draft regulations for Subpart Ed. EPA Region IX reversed their initial determination on October 31, 2018, stating that the unit meets the definition of a pyrolysis unit and is not subject to the HMIWI rules. The facility is currently permitted under California state rules.

I am requesting a 30 minute meeting with you, Balaji, and Valerie on Friday, February 28. Our hope is that you are able to provide us with some guidance for how the facility should be regulated since there seems to be a lot of confusion and inconsistencies regarding pyrolysis vs incineration determination. Please let me know when you are available so that I can set up a call to discuss this matter.

Thank you,

Jenn Paskash

Air Permit Engineer
Ph: 602-771-4697



azdeq.gov

Your feedback matters to ADEQ. Visit azdeq.gov/feedback